

CASREF,STAYED,TYPE I-FOIA

U.S. District Court
District of Columbia (Washington, DC)
CIVIL DOCKET FOR CASE #: 1:17-cv-01155-EGS-RMM

WHITE COAT WASTE PROJECT v. UNITED STATES
DEPARTMENT OF VETERANS AFFAIRS

Assigned to: Judge Emmet G. Sullivan

Referred to: Magistrate Judge Robin M. Meriweather

Case: 1:17-cv-02264-EGS

Cause: 05:552 Freedom of Information Act

Plaintiff

WHITE COAT WASTE PROJECT

represented by **Matthew Strugar**
LAW OFFICE OF MATTHEW
STRUGAR
3435 Wilshire Boulevard
Suite 2910
Los Angeles, CA 90010
(323) 696-2299
Email: matthew@matthewstrugar.com
ATTORNEY TO BE NOTICED

V.

Defendant

**UNITED STATES DEPARTMENT
OF VETERANS AFFAIRS**

represented by **Rhonda Lisa Campbell**
U.S. ATTORNEY'S OFFICE FOR THE
DISTRICT OF COLUMBIA
555 Fourth Street, NW
Washington, DC 20530
(202) 252-2559
Fax: (202) 252-2599
Email: rhonda.campbell@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
06/14/2017	<u>1</u>	COMPLAINT against UNITED STATES DEPARTMENT OF VETERANS AFFAIRS (Filing fee \$ 400 receipt number 0090-4989815) filed by White Coat Waste Project. (Attachments: # <u>1</u> Civil Cover Sheet, # <u>2</u> Summons to US Department of Veterans Affairs, # <u>3</u> Summons to U.S. Attorney for the District of Columbia, # <u>4</u> Summons to U.S. Attorney General)(Strugar, Matthew) (Entered: 06/14/2017)
06/14/2017	<u>2</u>	LCvR 7.1 CERTIFICATE OF DISCLOSURE of Corporate Affiliations and Financial Interests by White Coat Waste Project (Strugar, Matthew) (Entered: 06/14/2017)
06/14/2017		Case Assigned to Judge Emmet G. Sullivan. (md) (Entered: 06/14/2017)
06/16/2017	<u>3</u>	SUMMONS (3) Issued Electronically as to UNITED STATES DEPARTMENT OF VETERANS AFFAIRS, U.S. Attorney and U.S. Attorney General (Attachments: # <u>1</u> Notice of Consent) (md) (Entered: 06/16/2017)
06/29/2017	<u>4</u>	NOTICE of Appearance by Rhonda Lisa Campbell on behalf of UNITED STATES DEPARTMENT OF VETERANS AFFAIRS (Campbell, Rhonda) (Entered: 06/29/2017)
07/05/2017	<u>5</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed as to the United States Attorney. Date of Service Upon United States Attorney on 6/26/2017. Answer due for ALL FEDERAL DEFENDANTS by 7/26/2017. (Strugar, Matthew) (Entered: 07/05/2017)

07/18/2017	<u>6</u>	Consent MOTION for Extension of Time to File Answer re <u>1</u> Complaint, <i>or otherwise respond to the Complaint</i> by UNITED STATES DEPARTMENT OF VETERANS AFFAIRS (Campbell, Rhonda) (Entered: 07/18/2017)
07/19/2017		MINUTE ORDER granting <u>6</u> consent motion for extension of time. Defendant shall answer or otherwise respond to plaintiff's complaint by no later than August 28, 2017. Signed by Judge Emmet G. Sullivan on July 19, 2017. (lcegs2) (Entered: 07/19/2017)
07/19/2017		Set/Reset Deadlines: Answer Or Otherwise Response due by 8/28/2017. (mac) (Entered: 07/19/2017)
07/19/2017	<u>7</u>	STANDING ORDER: The parties are directed to read the attached Standing Order Governing Civil Cases Before Judge Emmet G. Sullivan in its entirety upon receipt. The parties are hereby ORDERED to comply with the directives in the attached Standing Order. Signed by Judge Emmet G. Sullivan on 7/19/2017.(Attachments: # <u>1</u> Exhibit) (lcegs1) (Entered: 07/19/2017)
08/28/2017	<u>8</u>	ANSWER to Complaint by UNITED STATES DEPARTMENT OF VETERANS AFFAIRS.(Campbell, Rhonda) (Entered: 08/28/2017)
08/29/2017		MINUTE ORDER. Plaintiff brings this action pursuant to the Freedom of Information Act (FOIA), 5 U.S.C. § 552. The parties are directed to meet and confer and propose a joint scheduling order for further proceedings in this case by no later than September 27, 2017. The parties' joint proposed scheduling order shall address the following: (1) the status of plaintiff's FOIA request; (2) the anticipated number of documents responsive to plaintiff's FOIA request; (3) the anticipated date(s) for release of documents responsive to plaintiff's FOIA request; (4) whether a motion for an Open America stay is likely in this case; (5) whether a Vaughn index will be required in this case; (6) whether this case would benefit from referral to a magistrate judge or the District Court Mediation Program for purposes of settlement; and (7) a proposed briefing schedule for dispositive motions, if applicable. If the parties are unable to agree on a joint recommendation, the joint proposed scheduling order shall include each party's individual recommendations. Signed by Judge Emmet G. Sullivan on August 29, 2017. (lcegs2) (Entered: 08/29/2017)
08/29/2017		Set/Reset Deadlines: Joint Scheduling Order due by 9/27/2017. (mac) (Entered: 08/29/2017)
09/14/2017	<u>9</u>	PROPOSED BRIEFING SCHEDULE re Order,,, by UNITED STATES DEPARTMENT OF VETERANS AFFAIRS. (Campbell, Rhonda) (Entered: 09/14/2017)
10/04/2017		MINUTE ORDER. In view of <u>9</u> the parties' joint motion, the parties are directed to comply with the following schedule: defendant's motion for summary judgment shall be filed by no later than October 16, 2017; plaintiff's combined opposition and cross-motion for summary judgment shall be filed by no later than November 17, 2017; defendant's reply and opposition to plaintiff's cross-motion shall be filed by no later than December 4, 2017; and plaintiff's reply in support of its motion shall be filed by no later than December 22, 2017. Signed by Judge Emmet G. Sullivan on October 4, 2017. (lcegs2) (Entered: 10/04/2017)
10/04/2017		Set/Reset Deadlines: Defendant's Motion For Summary Judgment due by 10/16/2017. Plaintiff's Combined Opposition And Cross-Motion For Summary Judgment due by 11/17/2017. Defendant's Reply And Opposition To Plaintiff's Cross-Motion due by 12/4/2017. Plaintiff's Reply In Support Of Its Motion due by 12/22/2017. (mac) (Entered: 10/04/2017)
10/16/2017	<u>10</u>	MOTION for Summary Judgment by UNITED STATES DEPARTMENT OF VETERANS AFFAIRS (Attachments: # <u>1</u> Memorandum in Support, # <u>2</u> Statement of Facts, # <u>3</u> Exhibit Vaughn Index, # <u>4</u> Declaration Michael Fallon, # <u>5</u> Declaration Emily Fuemmeller, # <u>6</u> Declaration William Maragos)(Campbell, Rhonda) (Entered: 10/16/2017)
10/16/2017	<u>11</u>	ERRATA <i>Exhibit added in proper PDF Form</i> by UNITED STATES DEPARTMENT OF VETERANS AFFAIRS <u>10</u> MOTION for Summary Judgment filed by UNITED STATES DEPARTMENT OF VETERANS AFFAIRS. (Campbell, Rhonda) (Entered: 10/16/2017)

11/07/2017		MINUTE ORDER. The Court, sua sponte, directs the parties to show cause why this action should not be consolidated with White Coat Waste Project v. U.S. Department of Veterans Affairs, Civil Action No. 17-2264, by no later than November 17, 2017. See Fed. R. Civ. P. 42(a) (permitting the court to consolidate actions "involv[ing] a common question of law or fact"); Local Civ. R. 40.5(a)(3) (defining related civil actions). The briefing schedule for defendant's motion for summary judgment is hereby STAYED pending further order of the Court. Signed by Judge Emmet G. Sullivan on November 7, 2017. (lcegs2) (Entered: 11/07/2017)
11/08/2017		Set/Reset Deadlines: Parties Show Cause due by 11/17/2017. (mac) (Entered: 11/08/2017)
11/17/2017	<u>12</u>	RESPONSE TO ORDER TO SHOW CAUSE by WHITE COAT WASTE PROJECT re Order,, . (Attachments: # <u>1</u> Declaration of Matthew Strugar in Support of Plaintiff's Response to Order to Show Cause)(Strugar, Matthew) (Entered: 11/17/2017)
11/20/2017		MINUTE ORDER. In view of <u>12</u> plaintiff's response to the Court's order to show cause as to why this case should not be consolidated with Civil Action No. 17-2264, the Court declines to consolidate the cases. The parties are directed to comply with the following briefing schedule: plaintiff's combined opposition and cross-motion for summary judgment shall be filed by no later than December 6, 2017; defendant's reply and opposition to plaintiff's cross-motion shall be filed by no later than December 22, 2017; and plaintiff's reply in support of its motion shall be filed by no later than January 12, 2018. Signed by Judge Emmet G. Sullivan on November 20, 2017. (lcegs2) (Entered: 11/20/2017)
11/20/2017		Set/Reset Deadlines: Plaintiff's Combined Opposition And Cross-Motion For Summary Judgment due by 12/6/2017. Defendant's Reply And Opposition To Plaintiff's Cross-Motion due by 12/22/2017. Plaintiff's Reply In Support Of Its Cross-Motion due by 1/12/2018. (mac) (Entered: 11/20/2017)
12/06/2017	<u>13</u>	Cross MOTION for Summary Judgment by WHITE COAT WASTE PROJECT (Attachments: # <u>1</u> Memorandum in Support of Plaintiff's Cross-Motion for Summary Judgment and Opposition to Defendant's Motion for Summary Judgment, # <u>2</u> Statement of Facts in Support of Plaintiff's Cross-Motion for Summary Judgment and Opposition to Defendant's Motion for Summary Judgment, # <u>3</u> Declaration of Justin Goodman in Support of Plaintiff's Cross-Motion for Summary Judgment and Opposition to Defendant's Motion for Summary Judgment, # <u>4</u> Declaration of Matthew Strugar in Support of Plaintiff's Cross-Motion for Summary Judgment and Opposition to Defendant's Motion for Summary Judgment)(Strugar, Matthew) (Entered: 12/06/2017)
12/06/2017	<u>14</u>	RESPONSE re <u>10</u> MOTION for Summary Judgment – <i>Plaintiff's Evidentiary Objections to Evidence Submitted in Support of Defendant's Motion for Summary Judgment</i> filed by WHITE COAT WASTE PROJECT. (Strugar, Matthew) (Entered: 12/06/2017)
12/19/2017	<u>15</u>	Consent MOTION for Extension of Time to File Response/Reply as to <u>13</u> Cross MOTION for Summary Judgment by UNITED STATES DEPARTMENT OF VETERANS AFFAIRS (Campbell, Rhonda) (Entered: 12/19/2017)
12/20/2017		MINUTE ORDER granting <u>15</u> defendant's consent motion for an extension of time. Defendant is directed to file its combined reply and opposition to plaintiff's motion by no later than January 29, 2018. Plaintiff is directed to file its reply in support of its motion by no later than March 1, 2018. Signed by Judge Emmet G. Sullivan on December 20, 2017.(lcegs2) (Entered: 12/20/2017)
12/21/2017		Set/Reset Deadlines: Defendant Combined Reply And Opposition To Plaintiff's Motion due by 1/29/2018. Plaintiff Reply In Support Of Its Motion due by 3/1/2018. (mac) (Entered: 12/21/2017)
01/29/2018	<u>16</u>	REPLY to opposition to motion re <u>10</u> MOTION for Summary Judgment filed by UNITED STATES DEPARTMENT OF VETERANS AFFAIRS. (Campbell, Rhonda) (Entered: 01/29/2018)
03/01/2018	<u>17</u>	REPLY to opposition to motion re <u>13</u> Cross MOTION for Summary Judgment filed by WHITE COAT WASTE PROJECT. (Strugar, Matthew) (Entered: 03/01/2018)

03/08/2018		MINUTE ORDER REFERRING CASE. Pursuant to Local Civil Rule 72.3(a)(3), the Court hereby refers <u>10</u> , <u>13</u> the parties' pending cross-motions for summary judgment to a magistrate judge for a report and recommendation. All proceedings before the Honorable Emmet G. Sullivan are hereby STAYED pending receipt of a report and recommendation. Signed by Judge Emmet G. Sullivan on March 8, 2018. (lcegs2) (Entered: 03/08/2018)
03/08/2018		Case Stayed (mac) (Entered: 03/08/2018)
03/08/2018		CASE RANDOMLY REFERRED to Magistrate Judge Robin M. Meriweather for a report and recommendation. (jd) (Entered: 03/09/2018)
04/02/2019	<u>18</u>	MOTION for Telephone Conference by WHITE COAT WASTE PROJECT (Strugar, Matthew) (Entered: 04/02/2019)